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|-------------------------|-------------|----------------------|---------------------|------------------|
| APPLICATION NO.         | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
| 09/751,576              | 12/29/2000  | Lok Yan Leung        | AUS920000797US1     | 8367             |
| 35525                   | 7590        | 04/02/2009           | EXAMINER            |                  |
| IBM CORP (YA)           |             |                      | LIPMAN, JACOB       |                  |
| C/O YEE & ASSOCIATES PC |             |                      |                     |                  |
| P.O. BOX 802333         |             |                      | ART UNIT            |                  |
| DALLAS, TX 75380        |             |                      | PAPER NUMBER        |                  |
|                         |             |                      | 2434                |                  |
|                         |             |                      | NOTIFICATION DATE   |                  |
|                         |             |                      | DELIVERY MODE       |                  |
|                         |             |                      | 04/02/2009          |                  |
|                         |             |                      | ELECTRONIC          |                  |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ptonotifs@yeeiplaw.com



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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

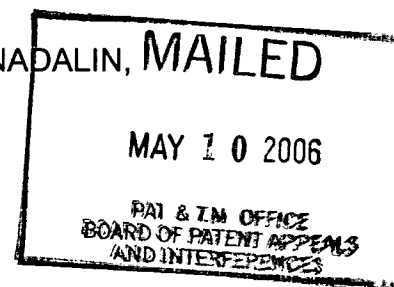
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Ex parte LOK YAN LEUNG, ANTHONY JOESPH NADALIN,  
BRUCE ARLAND RICH, and  
THEODORE JACK LONDON SHRADER

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Application No. 09/751,576

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was received electronically at the Board of Patent Appeals and Interferences on April 11, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below:

A Reply Brief was received in the office on October 25, 2005 in response to the Examiner's Answer mailed September 2, 2005. However, in accordance with the revision effective September 13, 2004, 37 CFR § 41.43 states:

. . . After receipt of a reply brief in compliance with [37 CFR] § 41.41, the primary examiner must acknowledge receipt and entry of the reply brief ....

A review of the application indicates that the reply brief has not been entered into PALM nor has it been considered by the examiner. Correction is required.

Accordingly, it is

ORDERED that the application is returned to the examiner:

- 1) for consideration of the reply brief filed October 25, 2005;
- 2) to have the reply brief filed October 25, 2005 entered into Patent Application Location and Monitoring System (PALM);
- 3) for written acknowledgment of entry of reply brief to the appellants; and
- 4) for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By: 

DALE M. SHAW  
Deputy Chief Appeal Administrator  
(571) 272-9797

DMS/dal

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